



MARKED UP VERSION OF THE CLAIMS

1. (currently amended) A method for obtaining a biologically active botulinum toxin, comprising the steps of:

- (a) providing a fermentation medium of which is not free of ~~more than about 1 weight percent~~ comprises an animal -product selected from the group consisting of an immunoglobulin, a meat product, a meat digest, a meat by product, milk, a dairy product, a dairy digest, blood peeled product, a blood product and an animal protein;
- (b) culturing a Clostridium botulinum bacterium in the fermentation medium under conditions which permit production of a botulinum toxin, ~~wherein the culturing is performed until cell density of the fermentation medium decreases due to cell lysis and;~~
- (c) recovering a biologically active botulinum toxin from the fermentation medium, wherein the fermentation medium comprises a protein obtained from yeast or from a vegetable, wherein the vegetable is selected from the group consisting of a soy, malt and corn.

2-4 (cancelled).

5. (original) The method of claim 1, wherein in the step of culturing, the culturing is performed until at least 48 hours after initial drop in cell density due to cell lysis.

6-12 (cancelled).

13. (currently amended) A method for making a substantially animal product free pharmaceutical composition in which the active ingredient is a botulinum toxin, the method comprising the steps of:

- (a) obtaining a biologically active botulinum toxin by;

(i) providing a fermentation medium of which is free of not more than about 1 weight percent ~~an animal product selected from the group consisting of an immunoglobulin, a meat product, a meat digest, a meat by product, milk, a dairy product, a dairy digest, blood pooled product, a blood product and an animal protein;~~

(ii) culturing a Clostridium botulinum in the fermentation medium under conditions which permit production of a botulinum toxin, and;

(iii) recovering a biologically active botulinum toxin from the fermentation medium;

(b) formulating the botulinum toxin with a suitable excipient, thereby making a substantially animal product free pharmaceutical composition in which the active ingredient is a botulinum toxin,

wherein the fermentation medium comprises a protein product obtained from yeast or from a vegetable, wherein the vegetable is selected from the group consisting of a soy, malt and corn.

14. (previously added) The method of claim 1, wherein the botulinum toxin is selected from the group consisting of botulinum toxins types A, B, C, D, E, F and G.

15. (previously added) The method of claim 1, wherein the botulinum toxin is a botulinum toxin types A.

16. (previously added) The method of claim 1, wherein the botulinum toxin is a purified botulinum toxin.

17. (currently amended) A method for obtaining a biologically active botulinum toxin type A, the method comprising the steps of:

(a) providing a fermentation medium of which is free of not more than about 1 weight percent ~~comprises an animal product selected from the group consisting of an immunoglobulin, a meat product, a meat digest, a meat by product, milk, a~~

~~dairy product, a dairy digest, blood pooled product, a blood product and an animal protein;~~

(b) culturing a Clostridium botulinum bacterium in the fermentation medium under conditions which permit production of a botulinum toxin, ~~wherein the culturing is performed until cell density of the fermentation medium decreases due to cell lysis.~~ and;

(c) recovering a biologically active botulinum toxin from the fermentation medium,

wherein the fermentation medium comprises a protein obtained from yeast or from a vegetable, wherein the vegetable is selected from the group consisting of a soy, malt and corn.

18. (previously added) The method of claim 13, wherein the botulinum toxin is selected from the group consisting of botulinum toxins types A, B, C, D, E, F and G.

19. (currently amended) The method of claim 13, wherein the botulinum toxin is a botulinum toxin types A.

20. (previously added) The method of claim 13, wherein the botulinum toxin is a purified botulinum toxin.

21. (currently amended) A method for making ~~an substantially~~ animal product free pharmaceutical composition in which the active ingredient is a botulinum toxin type A, the method comprising the steps of:

(a) obtaining a biologically active botulinum toxin type A by;

(i) providing a fermentation medium ~~of which is free of~~ ~~not more than about 1 weight percent~~ ~~is an animal product selected from the group consisting of an immunoglobulin, a meat product, a meat digest, a meat by product, milk, a dairy product, a dairy digest, blood pooled product, a blood product and an animal protein;~~

- (ii) culturing a *Clostridium botulinum* in the fermentation medium under conditions which permit production of a botulinum toxin type A, and;
 - (iii) recovering a biologically active botulinum toxin type A from the fermentation medium;
- (b) formulating the botulinum toxin type A with a suitable excipient, thereby making an substantially animal product free pharmaceutical composition in which the active ingredient is a botulinum toxin type A, wherein the fermentation medium comprises a protein product obtained from yeast or from a vegetable, wherein the vegetable is selected from the group consisting of a soy, malt and corn.